



Date Issued: 12-7-00

Case No.: 2000-JTP-8

In the Matter of:

Powhatan Renape Nation,  
Complainant

v

U.S. Department of Labor,  
Respondent

### **ORDER OF DISMISSAL**

On October 26, 2000, I issued an Order to Show Cause, providing that the Complainant, within ten days, show cause as to why this matter should not be dismissed. As of the date of this Order, no response has been received in this office. The Respondent previously filed a Motion to Dismiss, alleging that the request for hearing was untimely filed; the Complainant has not filed a Response to this Motion.

A review of the exhibits provided by the Respondent with its Motion shows that the Grant Officer issued the final determination in this matter on June 13, 2000, and that it was received by the Complainant on June 19, 2000. The Complainant filed the request for hearing on August 22, 2000.<sup>1</sup> Title 20 C.F.R. § 636.10 provides that requests for hearings are to be filed within 21 days of receipt of the Grant Officer's final determination, accompanied by a copy of the Grant Officer's final determination, and specifically stating the issues on which review is requested. The Complainant did not comply with this provision, but filed the request for hearing more than two months after the receipt of the final determination. The Complainant did not respond to Judge Burke's Prehearing Order, nor did the Complainant respond to the Respondent's Motion to Dismiss, or to my Order to Show Cause.

I find that the Complainant's request for hearing was untimely filed. I also find, based on the Complainant's failure to respond to the Respondent's Motion and to my Order to Show Cause, that the Complainant has abandoned any interest in this matter.

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<sup>1</sup> The letter requesting a hearing was dated August 11, 2000, but was received in the Office of Administrative Law Judges on August 22, 2000.

Accordingly, for the reasons discussed above, IT IS HEREBY ORDERED that the Complainant's request for a hearing is denied, and this matter is dismissed.

SO ORDERED.

LINDA S. CHAPMAN  
Administrative Law Judge